

NA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MAJOR LEAGUE BASEBALL
PROPERTIES, INC. and CHICAGO CUBS
BASEBALL CLUB, LLC,

Plaintiffs,

v.

TOUSSIAINT STEVENS; *et al.*,

Defendants.

Civil Action No. 1:16-cv-09140

~~(PROPOSED)~~ ^W CONSENT JUDGMENT AND
PERMANENT INJUNCTION AGAINST DEFENDANT ROBERTO RAMIREZ

Having considered the Complaint on file in this action, and Defendant Roberto Ramirez ("Defendant"), having consented to each of the factual findings and the terms of the permanent injunction set forth below, this Court hereby finds as follows:

1. Plaintiff Chicago Cubs Baseball Club, LLC (the "Cubs") owns exclusive rights to use, and extensively, exclusively, and continuously has used in commerce, a number of inherently distinctive word and design marks that identify and distinguish the Cubs ("Cubs Word and Design Marks"). Many of the Cubs Word and Design Marks are the subject of valid federal and/or state trademark registrations.

2. The Cubs own exclusive rights to use, and extensively, exclusively, and continuously have used in commerce, the Cubs' distinctive trade dress (the "Cubs Trade Dress," and collectively with the Cubs Word and Design Marks, the "Cubs Marks"), which consists of the Cubs' blue-and-red color scheme in combination with other indicia associated with the Cubs, such as: references to team successes and history (e.g., "1908"); geographic references (e.g., Chicago); traditions like the "W" flag, "Hey Hey," and "Go Cubs Go"; the Cubs uniform designs; names or images of famous Cubs players (e.g., Ernie Banks, Ron Santo, Ryne Sandberg,

Anthony Rizzo, Kris Bryant, and Jake Arrieta), including their jersey images or numbers; names or images of famous Cubs managers and general managers; broadcast personalities; slogans, sayings, and other word marks and logos; and imagery related to Wrigley Field.

3. Plaintiff Major League Baseball Properties, Inc. ("MLBP") is a licensee of and acts as licensing agent for each of the Major League Baseball Clubs (including the Cubs), the Office of the Commissioner of Baseball (the "BOC") and their respective affiliated and related entities (collectively, the "MLB Entities"). The Major League Baseball Clubs currently consist of the Baltimore Orioles, Boston Red Sox, Chicago White Sox, Cleveland Indians, Detroit Tigers, Houston Astros, Kansas City Royals, Los Angeles Angels of Anaheim, Minnesota Twins, New York Yankees, Oakland Athletics, Seattle Mariners, Tampa Bay Rays, Texas Rangers, Toronto Blue Jays, Arizona Diamondbacks, Atlanta Braves, Chicago Cubs, Cincinnati Reds, Colorado Rockies, Miami Marlins, Los Angeles Dodgers, Milwaukee Brewers, New York Mets, Philadelphia Phillies, Pittsburgh Pirates, St. Louis Cardinals, San Diego Padres, San Francisco Giants and Washington Nationals. It is understood that references to the "MLB Clubs" or, individually, a "MLB Club," as the case may be, shall include each MLB Club's respective predecessors-in-interest, predecessors, successors and assigns.

4. Included among the intellectual property licensed and enforced by MLBP on behalf of itself and the other MLB Entities are the MLB Entities' trademarks, service marks and trade names and the trademark names owned, licensed, protected, and/or used by the MLB Entities and/or under which each of the MLB Clubs competes, along with a variety of other names, trademarks, service marks, logos, designs and trade dresses owned, licensed, protected, and/or used by the MLB Clubs, including the Cubs Marks (all referred to collectively herein as the "MLB Marks"), including, without limitation, the unique and inherently distinctive colors,

color combinations, striping, uniform designs and/or positioning of the MLB Club names, logos, and other elements (such as geographic designations) used on the MLB Clubs' uniforms, or components thereof (the "MLB Uniform Trade Dress"; it is understood that all references herein to MLB Marks includes MLB Uniform Trade Dress).

5. The MLB Entities and their predecessors, affiliates, and licensees have long used and are using the MLB Marks, and many of the MLB Marks are the subject of valid federal and/or state trademark registrations, representative samples of which are listed in **Exhibit 1**.

6. As a result of the substantial use, marketing, and promotion of the MLB Marks for many years in connection with baseball-related services and as part of an extensive licensing program on a wide variety of goods and services relating to and promoting the MLB Clubs, the MLB Marks have become associated by fans, consumers and the trade, press, media and public with the MLB Entities and have developed considerable and valuable goodwill of great value to the MLB Entities.

7. Defendant is manufacturing, distributing, advertising, marketing, offering for sale, and/or selling products that incorporate one or more of the MLB Marks or substantially indistinguishable, confusingly similar, or dilutive imitations thereof.

8. Defendant is not licensed or authorized by Plaintiffs to use MLB Marks on or in connection with goods.

9. Defendant's unlawful activities described above are likely to cause confusion, mistake, or deception among members of the consuming public, and, in particular, among Cubs fans.

10. Defendant's unlawful activities described above are likely to dilute, by blurring and/or tarnishment, the distinctive quality of one or more of the MLB Marks.

11. Defendant acknowledges and agrees that each of the products depicted in **Exhibit 2** (the “Infringing Goods”) bears a substantially indistinguishable or confusingly similar imitation of one or more MLB Marks. Defendant further acknowledges and agrees that the images of Infringing Goods depicted in **Exhibit 2** is not comprehensive or exclusive and that manufacturing, distributing, advertising, marketing, offering for sale, and selling other products that incorporate one or more of the MLB Marks or substantially indistinguishable, confusingly similar, or dilutive imitations thereof would violate the terms of the permanent injunction below.

12. If this Court declines to grant an injunction and the other relief described below, Plaintiffs will have no adequate remedy at law and will suffer immediate and irreparable harm in the form of injury to Plaintiffs’ reputation and property rights, harm to the goodwill associated with the MLB Marks, loss of quality associations and control over the MLB Marks and Plaintiffs’ brands, and decreased sales of licensed merchandise.

13. If this Court declines to grant an injunction and the other relief described below, the harm to Plaintiffs clearly outweighs any harm that Defendant may incur, because Defendant has no legitimate rights to use MLB Marks, Defendant has not requested permission from Plaintiffs to use the MLB Marks, and Plaintiffs have not consented to such use.

14. It is in the public interest that the infringing and counterfeit goods, including without limitation the Infringing Goods, be removed from sale to consumers.

15. On Thursday September 22, 2016, MLBP and the Cubs filed this action against Defendant and others (the “Civil Action”) alleging claims for counterfeiting and trademark infringement under the Lanham Trademark Act, 15 U.S.C. § 1114, false designations of origin, false or misleading descriptions of fact, or false and misleading representations of fact under the Lanham Act, 15 U.S.C § 1125(a), trademark dilution under the Lanham Act, 15 U.S.C.

§ 1125(c), trademark infringement under Illinois State law, 765 ILCS 1036/60, trademark dilution under Illinois State law, 765 ILCS 1036/65, common law unfair competition trademark infringement, and violations of 815 ILCS 510/1 *et seq.*

16. The Court has jurisdiction over the subject matter of this action and over Defendant, and venue in this action is proper in this judicial district.

17. MLBP, the Cubs, and Defendant have entered into a confidential settlement agreement ("Settlement Agreement") and have consented to the entry of this Consent Judgment and Permanent Injunction ("Consent Judgment") with regard to the Cubs' and MLBP's claims against Defendant.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The Clerk shall enter **FINAL JUDGMENT** against Defendant with regard to all claims asserted by MLBP and the Cubs in the Civil Action.

2. Defendant and all of his agents, officers, employees, representatives, successors, assigns, attorneys, and all other persons acting for, with, by, through, or under authority from Defendant, or in concert or participation with Defendant, and each of them, are **PERMANENTLY ENJOINED and RESTRAINED**, from:

- a. making use (including but not limited to trademark, fair, incidental, descriptive, or functional uses) in connection with the manufacture, sale, offering for sale distribution, advertising, or promoting of novelties, collectibles, clothing, or other apparel or any other product or service, including but not limited to use on the products themselves, and/or on the labels or packaging for the products and/or advertising or promotional materials for such products or services of:

- i. any MLB Marks, or any other trademarks, service marks, names, trade names, trade dresses, logos, designs, distinctive colors, color combinations, striping, uniform designs, or the positioning of such elements on uniforms, that are substantially indistinguishable from, confusingly similar to, or dilutive of any of the MLB Marks;
- ii. any images, pictures, posters, photographs, caricatures, depictions or likenesses in a still or moving form (collectively, "Images") in whole or in part of current or former players, coaches or managers wearing any item resembling a Major League Baseball uniform or a component of such uniform on or in any products or materials including, without limitation, on any product, advertising, or promotional materials. For purposes of this Agreement, jerseys, pants, jackets, caps, helmets, and catchers' equipment are considered components of a Major League Baseball uniform;
- iii. a uniform number and/or a baseball player name or any Images, and/or a geographical designation, initials, abbreviation, or other geographical reference to the location of a MLB Club together with any of the MLB Marks or other names, marks, trade dress, colors, or designs similar thereto or which identify or are associated with or suggest a connection with any of the MLB Entities;

- b. doing any other act or thing calculated or likely to cause confusion with or dilute the MLB Marks or to suggest that Defendant or its goods or services, are in any way associated or affiliated with, endorsed or sponsored by, or is a sponsor of, any of the MLB Entities; and
- c. representing that any goods manufactured, distributed, offered for sale, or sold or advertised by Defendant are sponsored or licensed or are authorized by or originate with Plaintiffs, or from otherwise taking any action likely to cause confusion, mistake, or deception on the part of the public as to the origin or sponsorship of such goods, unless such articles of merchandise have been licensed by Plaintiffs; or from taking any actions infringing any of MLB Marks or other intellectual property rights, or from assisting, aiding, or abetting any other person or entity in engaging in or performing any of the activities referred to herein.

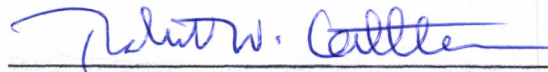
3. This Court shall have continuing jurisdiction to enforce the provisions of the permanent injunction entered herein.

4. All of the parties hereto consent to the issuance and entry of this Consent Judgment and waive the right to appeal from or otherwise contest this Consent Judgment, which may be entered in the form and content as set forth above without further notice to any party.

5. Nothing in this Consent Judgment shall relieve any party of any further obligations set forth in the confidential Settlement Agreement.

6. The Cubs, MLBP, and Defendant each shall bear its own costs, including attorneys' fees.

IT IS SO ORDERED this 29th day of November, 2016.



The Honorable Robert W. Gettleman
United States District Judge

STIPULATED AND CONSENTED TO BY:

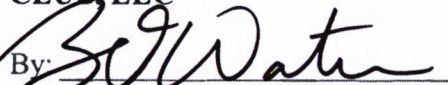
DEFENDANT ROBERTO RAMIREZ

By: 

Name: Roberto Ramirez

Date: 11-11-16

**ON BEHALF OF PLAINTIFFS MAJOR
LEAGUE BASEBALL PROPERTIES,
INC. and CHICAGO CUBS BASEBALL
CLUB, LLC**

By: 

Matthew C. Crowl

mcrowl@rshc-law.com

Brian O. Watson

bwatson@rshc-law.com

RILEY SAFER HOLMES & CANCELIA LLP

Three First National Plaza

70 W. Madison Street, Suite 2900

Chicago, Illinois 60602

Telephone: (312) 471-8700

Facsimile: (312) 471-8701

**KILPATRICK TOWNSEND &
STOCKTON LLP**

R. Charles Henn Jr. (*pro hac vice* pending)

chenn@kilpatricktownsend.com

Jennifer Fairbairn Deal (*pro hac vice*
pending)

jdeal@kilpatricktownsend.com

1100 Peachtree Street, Suite 2800

Atlanta, GA 30309

Telephone: (404) 815-6500

Facsimile: (404) 815-6555

EXHIBIT 1

The following logos and/or word marks: AL, American League and National League, NL, Major League, Major League Baseball, Major League Baseball silhouetted batter logos, MLB, What A Game, I Live For This, Opening Day, and This Is Beyond Baseball.

The primary, secondary and headwear logos, uniform lettering and designs, images, colors and color combinations, trade dress, characters, symbols, designs, likenesses, visual representations, and word marks, of the following Clubs including, without limitation, their respective successor organizations: Baltimore Orioles, Boston Red Sox, Chicago White Sox, Cleveland Indians, Detroit Tigers, Kansas City Royals, Los Angeles Angels of Anaheim, Minnesota Twins, New York Yankees, Oakland Athletics, Seattle Mariners, Tampa Bay Rays, Texas Rangers, Toronto Blue Jays, Arizona Diamondbacks, Atlanta Braves, Chicago Cubs, Cincinnati Reds, Colorado Rockies, Houston Astros, Los Angeles Dodgers, Miami Marlins, Milwaukee Brewers, New York Mets, Philadelphia Phillies, Pittsburgh Pirates, St. Louis Cardinals, San Diego Padres, San Francisco Giants and Washington Nationals.

The following logos and/or word marks: ALCS, AL Champions, All-Star Game, All-Star Futures Game, American League and National League stylized jersey lettering and cap logos, American League and National League Championship Series, American League Champions, ASG, Division Series, Fall Classic, FanFest, Home Run Derby, Interlocking Leaves Design, League Championship Series, LCS, Major League Baseball All-Star FanFest primary and secondary, Midsummer Classic, NLCS, National League Champions, NL Champions, October Dreams, 8 Teams, 1 Champion, World Series, World Series Champions, WS, and World Series Green Team.

The following logos and/or word marks: Battle of the Bay, Bay Bridge Series, Freedom Series, Freeway Series, I-5 Series, I-70 Series, I-95 Series, Liberty Series, Second City Series, Show-Me Series, and Subway Series.

The vintage primary, secondary and headwear logos, uniform lettering and designs, images, colors and color combinations, trade dress, characters, symbols, designs, likenesses, visual representations, and word marks, of the following Clubs: Baltimore Orioles, Boston Red Sox, Chicago White Sox, Cleveland Indians, Detroit Tigers, Kansas City Royals, Los Angeles Angels of Anaheim, Minnesota Twins, New York Yankees, Oakland Athletics, Seattle Mariners, Tampa Bay Rays, Texas Rangers, Toronto Blue Jays, Arizona Diamondbacks, Atlanta Braves, Chicago Cubs, Cincinnati Reds, Colorado Rockies, Houston Astros, Los Angeles Dodgers, Miami Marlins, Milwaukee Brewers, New York Mets, Philadelphia Phillies, Pittsburgh Pirates, St. Louis Cardinals, San Diego Padres, San Francisco Giants and Washington Nationals, including, without limitation, their respective predecessor organizations (including, but not limited to: Anaheim Angels, Boston Braves, Brooklyn Dodgers, California Angels, Florida Marlins, Houston Colt .45's, Kansas City Athletics, Los Angeles Angels, Milwaukee Braves, Montreal Expos, New York Giants, Philadelphia Athletics, Seattle Pilots, St. Louis Browns and Washington Senators).

The following word marks and/or images: Arizona Diamondbacks: Baxter, Atlanta Braves: Homer the Brave, Baltimore Orioles: The Bird, Boston Red Sox: Wally the Green Monster,

Chicago Cubs: Clark; Chicago White Sox: Southpaw, Cincinnati Reds: Gapper, Mr. Red, Mr. Redlegs, Rosie Red, Cleveland Indians: Slider and racing hot dog characters, Colorado Rockies: Dinger, Detroit Tigers: Paws, Houston Astros: Junction Jack, Kansas City Royals: Sluggerrr, Los Angeles Dodgers: Koala, Miami Marlins: Billy the Marlin, Milwaukee Brewers: Bernie Brewer, the Brewers' five sausage characters (namely Bratwurst, Polish Sausage or Polish, Hot Dog, Chorizo, Italian Sausage or Italian), Famous Racing Sausages, Minnesota Twins: TC, New York Mets: Mr. Met, Mrs. Met, Oakland Athletics: Stomper, Philadelphia Phillies: Phillie Phanatic Phanatic and 5-pointed star design), Pittsburgh Pirates: Jolly Roger, Pirate Parrot, the Pirates' four pierogies characters, San Diego Padres: Swinging Friar, San Francisco Giants: Lou Seal, Seattle Mariners: Mariner Moose, St. Louis Cardinals: Fredbird, Tampa Bay Rays: Raymond, Texas Rangers: Rangers Captain, Toronto Blue Jays: Ace, and Washington Nationals: Screech, the four racing president characters (namely Theodore Roosevelt, Abraham Lincoln, George Washington and Thomas Jefferson), the Racing Presidents and The Rushmores.

The following logos and/or word marks: America At Its Best, Baseball Fever Catch It, Baseball Max, Baseball Official Game of Summer, Cactus League, Catch the Fever, Crosstown Classic, Crosstown Cup, Crosstown Series, Diamond Skills, DRAFT (any year), Grapefruit League, Legends Are Born in October, Pitch Hit and Run, RBI Reviving Baseball In Inner Cities, Rookie League, Spring Training, Take Me Out To The Ballgame, Take You Out To The Ballgame, and Take Us Out To The Ballgame, TEAMMLB, Turn Ahead the Clock, Welcome To The Show, Yardball and Tenth Man and 10th Man.

The following logos and/or word marks: Atlanta Braves: Boston Bees, Braves Chop House, Braves Country, Ivan Allen Jr. Braves Museum Hall of Fame, and 1876 Crossed Tomahawks Anniversary sleeve patch; Arizona Diamondbacks: D-Backs, D-Backs Kids Change The Game, Los D-Backs and 10th Anniversary World Champions; Baltimore Orioles: The Ballpark That Forever Changed Baseball; Boston Red Sox: Bosox, Boston Puritans, Green Monster, Red Sox Nation, Red Sox recycling, We Won't Rest, Fenway Park 100th Anniversary, and America's Most Beloved Ballpark; Chicago Cubs: Cubbies; Chicago White Sox: South Siders, South Side Hit Men, ChiSox, Diamond View, Soxfest, White Sox Nation, Sox Pride, Sox Pride It's About Us, and Medias Blancas; Cincinnati Reds: It's A Whole New Ballgame, Redlegs, Red Stockings, Reds, and The Great Eight; Cleveland Indians: Batterhorn, Heritage Park and Design, Game Face, Indians Snow Days, The Frozen Mile, Tribetubular, Tribe, Are You In The Tribe?, I'm In The Tribe, Are You?, My Tribe, This Is Our Tribe, What If It's Tribe Time, Indians Music Festival, and The Frozen Diamond Faceoff; Colorado Rockies: Blake Street Bombers, The Rockpile, Rocktober, and Baseball With An Altitude; Detroit Tigers: Tigers Care, Who's Your Tiger, and Tigers vintage tiger design; Houston Astros: Pink In The Park and We Are Your Astros; Los Angeles Angels: Halos, Rally Monkey, Angels 50th Anniversary Patch Angels Baseball, Angels Baseball 2012 Anniversary sleeve patch, Angels Nation The Big A, and Light Up The Halo; Los Angeles Dodgers: 1955 Dodgers (sleeve patch), Los Doyers, Boys in Blue, and Dodger Stadium 50th Anniversary sleeve patch; Milwaukee Brewers: Brew Crew, Cervceros, C (stylized) cap logo, Barrelman, Home To Heroes, Brewersfest, Miller Park 10th Anniversary, Fork, Cork and Barrel, Bierbrauer, Brewing Winners, Brewing Home Grown Stars, Brewing Home Runs, Brewing Passion, and Brewing Traditions; Minnesota Twins: This Is Twins Territory; New York Mets: Amazin' Mets, Amazins, Los Mets, Mets Hall of Fame and Museum, and Ya Gotta Believe; New York Yankees: Yankees Universe, Where Players Become

Legends, George M. Steinbrenner Field, Yankee Hankee, Legends Field, Yankees Fan Festival, Bronx Bombers, The House That Ruth Built, Bronx Dynasty, Ring Dynasty, 27 Time Dynasty, Captain of a Dynasty, DJ3K, and 602 Saves; Oakland Athletics: A's Brand and A Different Brand of Baseball; Philadelphia Phillies: Fightin' Phils, Phils, Race for the Repeat, and The Bell Tolls Twice; Pittsburgh Pirates: Pittsburgh Pirates Fantasy Camp and Design; Saint Louis Cardinals: Cardinal Nation, Cardinals Care, Redbird Rookies, Redbirds, Cards, and Baseball Heaven; San Francisco Giants: 2010 World Champions, Your SF Giants, Gigantes, Giants SF Recycling, and Road To History; San Diego Padres: Celebrando Lo Nuestro, Compadres Club, Frequent Friar, Friar Faithful, Oktoberfest, Padres' military appreciation, San Diego Padres Blueprint, Western Metal Theater Live, and Padres and Ballpark design (2011); Seattle Mariners: Junior Mariners Club, Marineros, Mojo Risin', and On Deck (stylized); Tampa Bay Rays: 9=8, Ray Team, Rays tree design, and DJ Kitty; Texas Rangers: Claw and Antler, 40th Anniversary sleeve patch; Washington Nationals: Nats, Natstown, and Nationals in Hebrew lettering.

The logos, word marks and images of the following ballparks: Angel Stadium of Anaheim, AT&T Park, Busch Stadium, Chase Field, Citi Field, Citizens Bank Park, Comerica Park, Dodger Stadium, Fenway Park, Globe Life Park in Arlington, Great American Ball Park, Kauffman Stadium, Marlins Park, Miller Park, Minute Maid Park, Nationals Park, O.co Coliseum, PETCO Park, PNC Park, Progressive Field, Rogers Centre, SAFECO Field, Target Field, Tropicana Field, Turner Field, U.S. Cellular Field, Wrigley Field, and Yankee Stadium.

The logos, word marks and images of the following ballparks: Anaheim Stadium, Arlington Stadium, Astrodome, Atlanta Fulton County Stadium, Candlestick Park, Cleveland Municipal Stadium, Comiskey Park, Crosley Field, Exhibition Stadium, Forbes Field, Griffith Stadium, Hubert H. Humphrey Metrodome, Jacobs Field, Kansas City Municipal Stadium, Memorial Stadium, Metropolitan Stadium, Milwaukee County Stadium, Oakland-Alameda County Coliseum, Olympic Stadium, Polo Grounds, Rangers Ballpark in Arlington, Riverfront Stadium, Seals Stadium, Shea Stadium, Shibe Park, Sportsman's Park, The Ballpark in Arlington, The Kingdome, Three Rivers Stadium, Tiger Stadium, and Veterans Stadium.

The logos, word marks and images of Oriole Park at Camden Yards.

The Genuine Merchandise logos and word mark.

The MLB Authentic Collection logos and word mark. The Major League Baseball Cooperstown Collection logos and word mark. The National Baseball Hall of Fame and Museum logos and word mark.



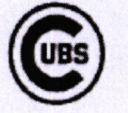
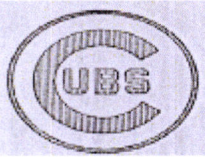
All-Star Game Fun Run logo and word mark, All-Star Charity Concert logo and word mark Breakthrough Series, Flag Design associated with Welcome Back Veterans




Registration	Mark	Goods and Services
*U.S. Federal (Reg. No. 1,183,876) Dec. 29, 1981	C	Class 25: Hats, caps Class 28: Toy banks and baseball helmets
*U.S. Federal (Reg. No. 1,544,313) June 20, 1989	CHICAGO CUBS	Class 11: Flashlights. Class 25: Clothing, namely, T-shirts, sweatshirts, caps and hooded sweatshirts
*U.S. Federal (Reg. No. 1,548,675) July 18, 1989	CHICAGO CUBS	Class 41: Entertainment services in the nature of baseball exhibitions
U.S. Federal (Reg. No. 3,846,643) September 7, 2010	CHICAGO ORPHANS	Class 25 – Clothing, namely shirts, T-shirts
*U.S. Federal (Reg. No. 3,644,960) June 23, 2009	CUBBIES	Class 25 – Clothing namely, caps, hats, shirts, T-shirts
*U.S. Federal (Reg. No. 3,326,193) October 30, 2007	CUBS	Class 9 – Pre-recorded videodiscs relating to baseball; pre-recorded audio discs relating to baseball; cases for personal digital assistants, cell phone accessories, namely, cases and face plate covers; binoculars; calculators; electric switch plate covers; luminous signs, neon signs; sunglasses; decorative magnets; protective helmets, video and computer game cartridges, video and computer game discs, video and computer game cassettes; computer accessories, namely, mouse pads, computer game programs, and computer application programs downloadable from a global computer network in the field of baseball.
*U.S. Federal (Reg. No. 3,320,044) October 23, 2007	CUBS	Class 14 – Jewelry, namely, bracelets, charms, earrings, rings, belly rings, necklaces, pendants, watches, costume jewelry, silicone or rubber bracelets and wristbands in the nature of bracelets, medallions, ornamental metal pins, lapel pins, cuff links, metal belt buckles of precious metal, money clips of precious metal, key chains of precious metal, key rings of precious metal, clocks, wall clocks, alarm clocks, and non-monetary coins of precious metal.




<p>*U.S. Federal (Reg. No. 3,320,043) October 23, 2007</p>	<p>CUBS</p>	<p>Class 16 – Paper goods and printed matter, namely, trading cards, posters, stickers, decals, temporary tattoos, bumper stickers, score books, scorecards, printed baseball game programs, magazines and books featuring baseball, brochures featuring baseball, writing pads, note paper, notebooks, binders, stationery-type portfolios, stationery folders, baseball card albums, book covers, calendars, greeting cards, postcards, printed bank checkbooks, checkbook covers, gift wrapping paper, paper gift and party bags, paper party goods in the nature of paper party decorations; paper coasters, paper napkins, mounted and un-mounted photographs, photograph albums, lithographs, plastic baseball card holders and collectors cases, paperweights, letter openers, pens, pencils, crayons, non-electric erasers, pencil cases, art pictures, and art prints.</p>
<p>*U.S. Federal (Reg. No. 3,320,042) October 23, 2007</p>	<p>CUBS</p>	<p>Class 18 – Athletic bags, overnight bags, backpacks, duffel bags, tote bags, beach bags, knapsacks, attaché cases, briefcases, purses, wallets, billfolds, fanny packs, waist packs, cosmetic cases sold empty, toiletry cases sold empty, business card cases, luggage, luggage tags, suitcases, umbrellas, dog collars, and dog leashes</p>
<p>*U.S. Federal (Reg. No. 3,231,137) April 17, 2007</p>	<p>CUBS</p>	<p>Class 25 – Clothing, namely, caps, hats, visors, knitted headwear, shirts, t-shirts, tank tops, sweaters, pullovers, vests, shorts, pants, dresses, skirts, baseball uniforms, jerseys, warm-up suits, jogging suits, sweatshirts, sweatpants, underwear, robes, sleepwear, swimwear, jackets, ponchos, cloth bibs, infant wear, infant diaper covers, cloth diaper sets with undershirt and diaper cover, jumpers, rompers, coveralls, creepers, baby booties, ties, footwear, socks, hosiery, slippers</p>


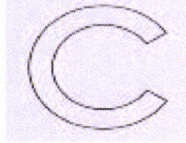
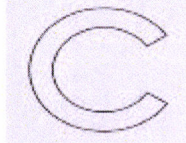


<p>*U.S. Federal (Reg. No. 3,320,041) October 23, 2007</p>	<p>CUBS</p>	<p>Class 28 – Toys and sporting goods, namely stuffed toys, plush toys, bean bag toys, foam toys, foam novelty items, namely, foam fingers, balloons, checker sets, dominoes, board games, card games, dart boards and dart board accessories, namely, darts, dart shafts and dart flights, toy cars and trucks, toy mobiles, jigsaw and manipulative puzzles, yo-yo's, toy banks, toy figures, toy vehicles, toy airplanes, dolls and doll accessories, bobbing head dolls, decorative wind socks, miniature baseball bats, mini batting helmet replicas, toy necklaces, baseballs, holders for baseballs, autographed baseballs, playground balls, rubber action balls, golf balls, golf club head covers, golf club bags, golf putters, billiard accessories, namely, cues, billiard balls, baseball bases, baseball bats, catcher's masks, batting gloves, inflatable toys; costume masks; Christmas tree ornaments, excluding confectionery and illumination articles, and Christmas stockings; playing cards.</p>
<p>*U.S. Federal (Reg. No. 3,231,136) April 17, 2007</p>	<p>CUBS</p>	<p>Class 41 – Entertainment services, namely, baseball games, competitions and exhibitions rendered live and through broadcast media including television and radio, and via a global computer network or a commercial on-line service; information services, namely, providing information in the field of sports, entertainment and related topics, and providing for informational messages relating thereto; educational services in the nature of baseball skills programs, baseball camps and clinics offered live; entertainment services, namely, production of programming broadcast via television, radio and a global computer network or a commercial on-line service; organizing community sporting events; providing facilities for sports tournaments and competitions relating to baseball; organizing and conducting fantasy sports, sports contests and sweepstakes; providing on-line newsletters in the field of baseball</p>






*U.S. Federal (Reg. No. 1,694,837) June 16, 1992	CUBS CARE	Class 36 – Raising, receiving and distributing charitable funds by means of special events.
*U.S. Federal (Reg. No. 3,199,968) January 23, 2007	MR. CUB	Class 16 – trading cards Class 25 – baseball jerseys Class 28 – Baseball bat
*U.S. Federal (Reg. No. 3,053,475) January 31, 2006	W	Class 24 – Fabric flags
U.S. Federal (Reg. No. 4,726,597) April 28, 2015	WRIGLEY FIELD SMOKIES	Class 29 – Hot dogs
Illinois (Reg. No. 108343) Oct. 19, 2015	FLY THE W	Class 25: Clothing, namely, headwear, shirts, jerseys, sweatshirts







Registration	Mark	Goods and Services
*U.S. Federal (Reg. No. 1,538,193) May 9, 1989	CHICAGO CUBS (Stylized Design) 1982 Lettering 	Class 25: Clothing, namely, shorts, T-shirts, neckties and 3/4 sleeve jerseys.
*U.S. Federal (Reg. No. 1,612,016) September 4, 1990	CHICAGO CUBS and Design 1984 Lettering 	Class 16 – Publications and printed matter, namely, souvenir programs. Class 41 – Entertainment services in the nature of baseball exhibitions.
*U.S. Federal (Reg. No. 1,042,652) July 6, 1976	CUBS and Design 1945 Primary 	Class 6 – Key tags and key chains. Class 14 – Watches, clocks, and jewelry. Class 16 – Baseball trading cards, posters, decals. Class 18 – Tote bags. Class 20 – Cushions, display boards with magnetic team badges for attachment thereto, for maintaining day to day standings of Major League Baseball teams. Class 21 – Drinking cups made of plastic and wastebaskets for domestic use. Class 24 – Towels and cloth pennants. Class 25 – T-shirts, sweatshirts, pajamas, ponchos, jackets, pants and robes. Class 26 – Cloth, iron-on, sew-on and pressure sensitive patches, belt buckles and cloth badges. Class 28 – Baseball gloves, baseballs and golf balls. Class 30 – Chewing gum. Class 34 – Cigarette lighters.
*U.S. Federal (Reg. No. 869,838) May 20, 1969	CUBS and Design 1957 Primary 	Class 41 - Entertainment services in nature of baseball exhibitions rendered live and through the media of radio and television.




<p>*U.S. Federal (Reg. No. 3,326,192) October 30, 2007</p>	<p>CUBS and Design 1979 Primary</p> 	<p>Class 9 – pre-recorded videodiscs relating to baseball; pre-recorded audio discs relating to baseball; cases for personal digital assistants, cell phone accessories, namely, cases and face plate covers; binoculars; calculators; electric switch plate covers; luminous signs, neon signs; sunglasses; decorative magnets; video and computer game cartridges, video and computer game discs, video and computer game cassettes; computer accessories, namely, mouse pads, computer game programs, and computer application programs downloadable from a global computer network in the field of baseball.</p>
<p>*U.S. Federal (Reg. No. 1,538,033) May 9, 1989</p>	<p>CUBS and Design 1979 Primary</p> 	<p>Class 11 – Flashlights.</p>
<p>*U.S. Federal (Reg. No. 3,320,040) October 23, 2007</p>	<p>CUBS and Design 1979 Primary</p> 	<p>Class 16 – Paper goods and printed matter, namely, trading cards, posters, stickers, decals, temporary tattoos, bumper stickers, score books, scorecards, printed baseball game programs, magazines and books featuring baseball, brochures featuring baseball, writing pads, note paper, notebooks, binders, stationery-type portfolios, stationery folders, baseball card albums, book covers, calendars, greeting cards, postcards, printed bank checkbooks, checkbook covers, gift wrapping paper, paper gift and party bags, paper party goods in the nature of paper party decorations; paper coasters, paper napkins, mounted and un-mounted photographs, photograph albums, lithographs, plastic baseball card holders and collectors cases, paperweights, letter openers, pens, pencils, crayons, non-electric erasers, pencil cases, art pictures, and art prints</p>



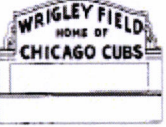
<p>*U.S. Federal (Reg. No. 3,320,039) October 23, 2007</p>	<p>CUBS and Design 1979 Primary</p> 	<p>Class 18 – Athletic bags, overnight bags, backpacks, duffel bags, tote bags, beach bags, knapsacks, attaché cases, briefcases, purses, wallets, billfolds, fanny packs, waist packs, cosmetic cases sold empty, toiletry cases sold empty, business card cases, luggage, luggage tags, suitcases, umbrellas, dog collars, and dog leashes</p>
<p>*U.S. Federal (Reg. No. 3,231,135) April 17, 2007</p>	<p>CUBS and Design 1979 Primary</p> 	<p>Class 25 – Clothing, namely, caps, hats, shirts, t-shirts, tank tops, sweaters, pullovers, vests, shorts, pants, dresses, skirts, baseball uniforms, jerseys, warm-up suits, jogging suits, sweatshirts, sweatpants, underwear, robes, sleepwear, swimwear, jackets, ponchos, cloth bibs, infant wear, infant diaper covers, cloth diaper sets with undershirt and diaper cover, jumpers, rompers, coveralls, creepers, baby booties, ties, footwear, socks, hosiery, slippers</p>
<p>*U.S. Federal (Reg. No. 3,320,038) October 23, 2007</p>	<p>CUBS and Design 1979 Primary</p> 	<p>Class 28 – Toys and sporting goods, namely stuffed toys, plush toys, bean bag toys, foam toys, foam novelty items, namely, foam fingers, balloons, checker sets, dominoes, board games, card games, dart boards and dart board accessories, namely, darts, dart shafts and dart flights, toy cars and trucks, toy mobiles, jigsaw and manipulative puzzles, yo-yo's, toy banks, toy figures, toy vehicles, toy airplanes, dolls and doll accessories, bobbing head dolls, decorative wind socks, miniature baseball bats, mini batting helmet replicas, toy necklaces, baseballs, holders for baseballs, autographed baseballs, playground balls, rubber action balls, golf balls, golf club head covers, golf club bags, golf putters, billiard accessories, namely, cues, billiard balls, baseball bases, baseball bats, catcher's masks, batting gloves, inflatable toys; costume masks; Christmas tree ornaments, excluding confectionery and illumination articles, and Christmas stockings; playing cards</p>

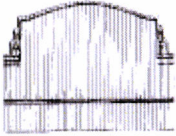






*U.S. Federal (Reg. No. 3,854,382) September 28, 2010	CUBS and Waving Cub Design 	Class 25 – Clothing, namely, caps, hats, shirts, T-shirts, tank tops
*U.S. Federal (Reg. No. 2,506,407) November 13, 2001	Cubs C (Stylized) 1910 Cap 	Class 25 – Clothing, namely, caps, hats, headwear, headbands, shirts, T-shirts, turtlenecks, baseball uniforms, jerseys, sweatshirts, sleepwear, jackets, cloth bibs, infantwear, onesies, footwear, socks.
*U.S. Federal (Reg. No. 2,667,880) December 31, 2002	Cubs C (Stylized) 1910 Cap 	Class 41 – Entertainment services, namely, baseball games, competitions and exhibitions rendered live, through broadcast media including television and radio and via a global computer network or a commercial on-line service; providing and disseminating information in the field of sports and entertainment, providing multi-user interactive computer games all via a global computer network or a commercial on-line service; education services in the nature of baseball skills programs, seminars and clinics offered live and through on-line instruction
*U.S. Federal (Reg. No. 1,297,664) September 25, 1984	Cubs C (Stylized) 1957 Cap 	Class 25 – Baseball caps
*U.S. Federal (Reg. No. 3,403,046) March 25, 2008	Cubs C (Stylized) 1969 Cap 	Class 9 – Electrical and scientific apparatus, namely, cases for personal digital assistants, cell phone accessories, namely, cases and face plate covers; sunglasses; decorative magnets; protective helmets, baseball batting helmets, video and computer game cartridges, video and computer game discs, video and computer game cassettes; computer game programs






<p>*U.S. Federal (Reg. No. 3,395,907) March 11, 2008</p>	<p>Cubs C (Stylized) 1969 Cap</p> 	<p>Class 14 – Jewelry, namely, bracelets, charms, earrings, pendants, costume jewelry, silicone or rubber bracelets and wristbands in the nature of bracelets, medallions, ornamental metal pins, lapel pins, money clips of precious metal, key chains of precious metal, key rings of precious metal</p>
<p>*U.S. Federal (Reg. No. 3,545,454) December 9, 2008</p>	<p>Cubs C (Stylized) 1969 Cap</p> 	<p>Class 16 – Paper goods and printed matter, namely, trading cards, posters, stickers, decals, temporary tattoos, bumper stickers, score books, scorecards, printed baseball game programs, magazines and books featuring baseball, preprinted agenda organizers, calendars, printed bank checkbooks, checkbook covers, mounted and un-mounted photographs, lithographs, pens, pencils, art pictures and art prints</p>
<p>*U.S. Federal (Reg. No. 1,536,262) April 25, 1989</p>	<p>Cubs C (Stylized) 1969 Cap</p> 	<p>Class 16 – Paper goods and printed matter, namely, baseball cards and lithographs. Class 28 – Toys and sporting goods, namely, plastic batting helmets.</p>
<p>*U.S. Federal (Reg. No. 3,320,037) October 23, 2007</p>	<p>Cubs C (Stylized) 1969 Cap</p> 	<p>Class 28 – Toys and sporting goods, namely stuffed toys, plush toys, bean bag toys, foam toys, checker sets, board games, card games, toy cars and trucks, toy mobiles, jigsaw and manipulative puzzles, toy banks, toy figures, toy vehicles, dolls and doll accessories, bobbing head dolls, decorative wind socks, miniature baseball bats, mini batting helmet replicas, catcher's masks, toy necklaces, baseballs, playground balls, rubber action balls, baseball bats, baseball gloves, inflatable toys; costume masks; Christmas tree ornaments, excluding confectionery and illumination articles</p>
<p>*U.S. Federal (Reg. No. 3,403,043) March 25, 2008</p>	<p>Cubs C and Bear Design 1908 Road Jersey</p> 	<p>Class 25 – Clothing, namely, caps, hats, headbands, visors, shirts, T-shirts, tank tops, pullovers, baseball uniforms, jerseys, sweatshirts, jackets</p>

*U.S. Federal (Reg. No. 1,916,572) September 5, 1995	Cubs C and Cub Bear Design 1994 Sleeve 	Class 25 – Clothing, namely, shirts, caps, shorts, t-shirts, jackets, pants, visors, hats, uniforms, uniform jerseys, wind resistant jackets, short sets, sweatpants, sweatshirts.
U.S. Federal (Reg. No. 3,996,311) July 19, 2011	Cubs CHICAGO (Stylized) 1996 Road Jersey 	Class 25 – Clothing, namely, jerseys, jackets, shirts, bottoms, infantwear, ties; headwear; footwear.
*U.S. Federal (Reg. No. 3,403,044) March 25, 2008	Cubs Cub Bear Face Design 1968 Sleeve 	Class 25 – Clothing, namely, caps, hats, shirts, T-shirts, tank tops, pullovers, baseball uniforms, jerseys, sweatshirts, jackets
*U.S. Federal (Reg. No. 1,560,472) October 17, 1989	Cubs Cub Bear Face Design 1974 Sleeve 	Class 16 – Paper goods and printed mater, namely, baseball cards
*U.S. Federal (Reg. No. 3,703,178) October 27, 2009	Cubs Cub Bear Face Design 1974 Sleeve 	Class 25 – Clothing, namely, caps, hat, shirts, T-shirts, baseball uniforms, jerseys, sweatshirts, jackets
U.S. Federal (pending) (Appl. No. 86/760,885, filed Sept., 18, 2015)	Cubs W (Stylized) 	Class 14 – Jewelry, namely, bracelets, charms, earrings, rings, necklaces, pendants, watches, costume jewelry, medallions, ornamental pins, lapel pins, tie clips, tie fasteners, cuff links, tie tacks, tie pins, key chains of precious metal, key rings of precious metal, clocks, wall clocks, alarm clocks, clock key chains, and non-monetary coins of precious metal.

U.S. Federal (pending) (Appl. No. 86/760,879, filed Sept. 18, 2015)	Cubs W (Stylized) 	Class 18 – All-purpose sport bags, all-purpose athletic bags, all-purpose carrying bags, athletic bags, duffle bags, backpacks, briefcases, canvas shopping bags, clutches, wristlet bags, coin purses, umbrellas, handbags, leather bags, suitcases and wallets, leather key chains, luggage, luggage tags, patio umbrellas, purses, reusable shopping bags, tote bags, cosmetic bags sold empty, toiletry bags sold empty, wallets, business card cases, credit card cases and holders, travel bags, pet clothing, collars for pets, pet collar accessories, namely bows and charms, pet tags specially adapted for attaching to pet leashes or collars, leashes for animals, wine bags with handles for carrying or holding wine.
U.S. Federal (Reg. No. 5,001,872) July 19, 2016	Cubs W (Stylized) 	Class 24 – Cloth pennants, cloth flags, cloth banners
U.S. Federal (pending) (Appl. No. 86/760,849, filed Sept. 18, 2015)	Cubs W (Stylized) 	Class 25 – Clothing, namely, headwear, shirts, bottoms, athletic uniforms, jerseys, jackets, infant wear, cloth bibs, sweatshirts, footwear.

<p>U.S. Federal (pending) (App. No. 86/760,829, filed Sept. 18, 2015)</p>	<p>Cubs W (Stylized)</p> 	<p>Class 28 – Toys and sporting goods, namely stuffed toys, plush toys, soft sculpture foam toys, foam novelty items, namely, foam fingers, puppets, balloons, checker sets, chess sets, dominoes, board games, card games, dice games, trivia game played with cards and game components, parlor games, playing cards, dart boards and dart board accessories, namely, darts, dart shafts and dart flights, cornhole sets, namely, bean bag games, toy cars and trucks, toy trains, toy mobiles, puzzles, yo-yo's, toy banks, toy figures, toy vehicles, dolls and doll accessories, bobbing head dolls, decorative wind socks, miniature baseball bats, mini batting helmet replicas, toy necklaces, miniature toy baseballs, baseballs, holders for baseballs, autographed baseballs, playground balls, beach balls, golf balls, golf club head covers, golf club bags, golf putters, billiard accessories, namely, cues, billiard balls and cue cases, baseball bases, baseball bats, batting gloves, pet toys, inflatable toys, snow sleds for recreational use, snow globes, costume masks, Christmas tree ornaments and decorations, flying disks, action figures, balls for games, gaming equipment, namely, poker chips, game tables, inflatable toys, bowling balls, bowling pins, bowling bags, fishing rods and reels, and lottery tickets.</p>
<p>U.S. Federal (Reg. No. 4,951,429) May 3, 2016</p>	<p>Cubs W (Stylized)</p> 	<p>Class 41 – Entertainment services, namely, baseball games, baseball exhibitions; Organizing and conducting an array of athletic events rendered live and recorded for distribution through broadcast media; Providing news and information in the field of sports; Entertainment services, namely, arranging and conducting special events.</p>
<p>*U.S. Federal (Reg. No. 1,538,151) May 9, 1989</p>	<p>WRIGLEY FIELD HOME OF CHICAGO CUBS and Design</p> 	<p>Class 16 – Paper goods and printed matter, namely, posters, photographs and post cards. Class 25 – Clothing, namely, baseball caps and T-shirts Class 41 – Entertainment services in the nature of baseball exhibitions.</p>

U.S. Federal (Reg. No. 1,631,187) January 8, 1991	Wrigley Field Marquee Design 	Class 16 – Paper goods and printed matter, namely, photographs Class 41 – Entertainment services in the nature of baseball exhibitions.
California (Reg. No. 019780) June 1, 1993	Cubs and Design 1979 Primary 	Class 39: T-shirts and sweatshirts
Illinois (Reg. No. 107133) Oct. 14, 2014	1060 PROJECT and Design 	Class 14: Brand of magnets
Illinois (Reg. No. 107131) Oct. 14, 2014	1060 PROJECT and Design 	Class 14: Brand of lapel pins
Illinois (Reg. No. 107132) Oct. 14, 2014	1060 PROJECT and Design 	Class 16: Paper invitations, stickers, vinyl signs
Illinois (Reg. No. 107130) Oct. 14, 2014	1060 PROJECT and Design 	Class 25: Clothing, namely shirts
Illinois (Reg. No. 107129) Oct. 14, 2014	1060 PROJECT and Design 	Class 37: Construction, renovation and restoration of buildings

Illinois (Reg. No. 108346) Oct. 19, 2015	Bear Catching Ball Design 	Class 25: Clothing, namely headwear, shirts
Illinois (Reg. No. 108344) Oct. 19, 2015	Bear Face Design 	Class 25: Clothing, namely, headwear, shirts, jackets, pants, shorts, vests, infantwear
Illinois (Reg. No. 108345) Oct. 19, 2015	Bear Face in Circle Design 	Class 25: Clothing, namely, headwear, shirts, jackets, pullovers, pants, shorts, vests, infantwear
Illinois (Reg. No. 108390) Oct. 21, 2015	Running Bear with Baseball Glove Design 	Class 25: Clothing, namely, shirts
South Carolina (none assigned) Oct. 10, 1994	Cubs and Design 1979 Primary 	Class 25: Clothing